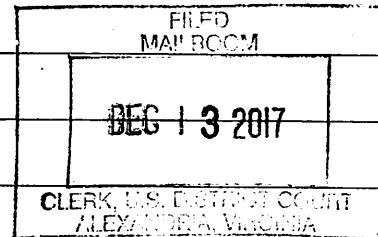


United States District Court For The Eastern District Of
Virginia
Alexandria Division



Kalvin D. Coward,
Plaintiff,

v.
A. David Robinson, Chief
of Corrections, et al.,
Defendants.

Civil Action No. 1:10 cv 147
(LMB/MSN)

Motion To Modify Language In The Judgment/Order

Now comes the Plaintiff, Calvin D. Coward, pro se, and respectfully moves this Court, under Rule 60(a) of the Federal Rules of Civil Procedure, to make a change to the language of the Judgment/Order. The requested change is reasonable when the totality of the Opinion is considered because it is fully consistent with the letter and spirit of this Court's Opinion.

Because of the amount of time that has passed Plaintiff finds it prudent to note that he wanted this motion filed within a couple of weeks after the judgment in this case was made and, he was planning to file the motion himself. However, counsel of record (Bernstein) perturbed to do so himself, but he stalled and stalled until he recently informed Plaintiff that his firm would not allow him to file the motion because the case is closed.

On August 28, 2017 this Court entered judgment for the Plaintiff. This Court's judgment ordered the Virginia Department of Corrections to, among other things, "recognize [the Nation of Gods and Earths] as a religion." Plaintiff respectfully requests that the Court modify the phrase to read: "recognize the Nation of Gods and Earths, not as a religion, but as a God Centered Culture, on equal terms with recognized religions." Although this requested change may appear minor, it has tremendous meaning for the Nation of Gods and Earths around the United States.

This Court's opinion was an affirmation of the legitimacy and dignity of the members of the Nation of Gods and Earths, and, as such, it was a milestone in the Nation's history. See *Born King Delc.*. The use of the phrase "as a religion," however, is contrary to the Nation's teachings. As Professor Knight explained during trial, many Gods and Earths "would find personal discomfort with the term." Tr. 243. Although Professor Knight agreed that the Nation indeed has "characteristics... that are analogous to characteristics of religion," he testified that he endeavors to take the Nation's "self-identification seriously." *Id.* The Nation is not a religion and self-identifies as a God Centered Culture. In its opinion, this Court respectfully acknowledged that the Nation does not self-identify with the word "religion" because that word "historically"... has been a tool of oppression and fosters dependence on external forces." Op. 9. Granting this motion is therefore, to reiterate, fully consistent with the letter and spirit of this Court's opinion.

Also, with the Court acknowledging in its Opinion that protection under the Free Exercise Clause and RLUIPA does not turn on mere semantics distinctions (Op. at 9) it should use the language (God Centered Culture)

that Plaintiff used to describe the Nation throughout this litigation, instead of the language religion. With Our Nation being put forth as a God Centered Culture, and with it not being against the Constitution, it only confirms the fact that God Centered Culture should be applied officially.

It should also be considered that because some of the Gods are so passionate and adamant about not being labeled as a religion, as was the case with not being labeled a gang/security threat group, it can, and probably will, lead to further litigation down the road. This situation is very similar to unrighteously being called by a name after having that name legally changed. To continue to be called that name is offensive to what the changed name stands for or the reason it was changed. (See *Al-Amin v. Shear*, 325 Fed. Appx. 190, 192 (4th Cir. 2009)) There is no way, shape, form, or fashion that the words God Centered Culture can be considered a threat to the security of any VDOC facility.

Additionally, a Rhode Island federal court recently granted a similar motion to this one. In April 2017, that court approved of an agreement that required the Rhode Island Department of Corrections to acknowledge that the Nation "is a religion" and to afford the Nation "the same protection as any other religion." In response to a request by the Nation, the court entered the following "clarifying text order," which did not alter the substance of the original opinion or the relief granted:

It is hereby ordered that the term "religion" as used in the Term Sheet setting forth the parties' settlement agreement... shall mean and be interpreted as meaning that the "Nation of Gods and Earths" ("NOGE") has the indicia of a system of religious belief or practice, but is not a religion.

Accordingly, Plaintiff respectfully requests that this Court modify the language in the judgment/order in the manner that Plaintiff previously put forth.

Respectfully submitted,

Kalvin Coward

Kalvin D. Coward, pro se

Date: December 10, 2017

Certificate Of Service

I, Kelvin D. Coward, hereby certify that on this 10th day of December, 2017, I mailed a copy of the enclosed Motion To Modify Language In Judgment/Order to the defendants attorney at the below listed address, by way of the U.S. Postal Service.

Margaret Hoel O'Shea, AAG, Office of the Attorney General, 202 North 9th Street, Richmond, Virginia 23219.